



WP.No.1082 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2023

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

WP.No.1082 of 2023
and WMP.No.1070 of 2023

G.Malar

...Petitioner

Vs.

1.The Principal Secretary to the Government of Tamilnadu
Secretariat,
Fort St Geroge, Rajaji Salai
Chennai 600 009.

2.The District Collector and the Inspector of Panchayats,
Kallakurichi District Collectorate,
Kesavalur Nagar, V.O.C.Nagar,
Kallakurichi Post,
Kallakurichi District,
Pincode 606 202.

...Respondents

Prayer:- This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorarified Mandamus, calling for the records relating to the impugned notice issued by the second respondent through his proceedings vide Na.Ka.No.a2/3012/2022, dated 03.01.2023



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and quash the same on the ground of it being arbitrary, irrational, illegal and against the principles of natural justice, to enable to smooth functioning of the Chozhavaandiaya Puram Village Panchayath administration.

For Petitioner : Mr.N.Kannan
For Respondents : Mr.N.Naveenkumar for R1 & R2
Government Advocate

ORDER

This Writ Petition is filed for issuance of a Writ of Certiorarified Mandamus to quash the notice issued by the second respondent through his proceedings vide Na.Ka.No.a2/3012/2022, dated 03.01.2023.

2. It is the case of the petitioner that she is working as the president of Chozhavaandiyapuram Village Panchayath. According to the petitioner, the second respondent alleging certain irregularities issued show cause notice, dated 03.01.2023 under Section 205(1)(a) of the Tamil Nadu Panchayaths Act and she also gave her explanation. However, the second respondent vide impugned proceedings taken away the cheque signing power of the petitioner. It is the contention of the learned counsel for the petitioner that since the notice dated 03.01.2023 is



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only a show cause notice, the cheque signing power of the President should not be taken away.

3. The learned Government Advocate appearing for the respondents submitted that as the petitioner has already sent his reply, the final order may be passed at any time. Hence, the show cause notice cannot be challenged.

4. It is to be seen that the proceedings under Section 205 of the Act has already been initiated and removal of cheque signing power is normally based on the outcome of the 205 proceedings. The petitioner has already submitted his explanation and it is for the authorities to consider the same legally and pass orders on its own merits.

5. With the above observations, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

12.01.2023

Index : Yes/No
pvs



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To

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N.SATHISH KUMAR.J.,

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